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CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 11, 2013
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
7:30 A.M.

REVISED ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

- 7:30 a.m. **CLOSED SESSION**
- 9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**
- OPEN MICROPHONE**
- MINUTES** Item 1
- CONSENT AGENDA** Items 2 - 48
- CONSENT ADDENDUM** Items 1 - 15
- ITEMS FOR INDIVIDUAL CONSIDERATION**
- No earlier Items 49 - 74
than 9:15 a.m. Addendum Items 16 - 17
- PUBLIC HEARINGS AND RELATED ACTIONS**
- 1:00 p.m. Items 75 - 98
 Addendum Items 18 - 21

Public Notice

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POSTED CITY SECRETARY
DALLAS, TX

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 11, 2013
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
7:30 A. M.**

ADDITIONS:

- Closed Session 5ES
Attorney Briefings (Sec. 551.071 T.O.M.A.)
- Lockey and MacKenzie v. City of Dallas, et al., Appeal No. 13-10884; 1600 Pacific LP v. City of Dallas, HUD Case File Nos. 06-10-0449-9, 06-10-0449-4, and 06-10-0499-6
Personnel (Sec. 551.074 T.O.M.A.)
- Discuss the qualifications of candidates for the position of City Manager.
(NOTE: This Personnel matter will begin at 7:30 a.m.)

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a one-year service contract, with a one-year renewal option, to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide - United Way of Metropolitan Dallas, most advantageous proposer of two - Not to exceed \$100,000 - Financing: Current Funds (subject to appropriations)
2. Authorize a three-year consignment service contract, with two one-year renewal options, for the sale of confiscated eight-liner gambling machines - M&K Recovery Group, Inc. with retention rate of 60% net revenue, most advantageous proposer of two - Estimated Annual Net Revenue: \$200,460
3. Authorize a three-year service contract, with two one-year renewal options, for software licenses, maintenance and support for all SAS software - SAS Institute, Inc., only proposer - Not to exceed \$107,861 - Financing: Current Funds (subject to annual appropriations)

City Attorney's Office

4. Authorize settlement of a claim for attorney's fees by Defendants' attorneys in the lawsuit styled Leanne Siri v. The City of Dallas et al., Civil Action No. 3:10-CV-0036-M - Not to exceed \$237,500 - Financing: Current Funds

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 11, 2013**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

City Attorney's Office (Continued)

5. Authorize Supplemental Agreement No. 7 to the professional services contract with Hankinson, L.L.P. for additional legal services necessary in the lawsuit styled City of Dallas v. Kenneth E. Albert, et al., Cause No. 199-697-94, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$185,000, from \$270,000 to \$455,000 - Financing: Current Funds

Civil Service

6. Authorize **(1)** the reappointment of two Administrative Law Judges (ALJ), Willie Crowder and Douglas J. Lapidus; **(2)** the appointment of Kelsie McQuieter, Lakisha M. Thigpen and James E. Urmin Sr., as Administrative Law Judges for the period January 1, 2014 through December 31, 2015, to hear employee appeals of terminations and demotions; and **(3)** contracts with each ALJ in the amount of \$4,000 each - Total not to exceed \$20,000 (\$4,000 to be reimbursed by the appealing employees) - Financing: Current Funds (subject to appropriations)

Equipment & Building Services

7. Authorize a contract for expansion of the vestibule located at the north entrance of Dallas City Hall - Big Sky Construction Co., Inc., only proposer - Not to exceed \$345,000 - Financing: Capital Construction Funds

Human Resources

8. Authorize **(1)** a Master Plan Document that includes all of the separate health benefit plans for City employees and their families including the cafeteria plan, health plans, dental and vision plans; and **(2)** a Master Plan Document that includes all of the separate health benefit plans for retirees and their families including the self-insured health plans, insured Medicare Supplement Plans, Medicare Advantage Plans, Prescription Drug Plans, dental and vision - Total cost is based on the number of employees/retiree participants in the plan - Financing: Employee Benefits Current Funds (subject to appropriations)

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 11, 2013**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Police

9. Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$74,966 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 13, 2013 through September 2, 2014; **(2)** a City contribution of pension costs in the amount of \$20,616; and **(3)** execution of the grant agreement - Total not to exceed \$95,582 - Financing: Current Funds (\$20,616) and Texas Department of Transportation Grant Funds (\$74,966)

Public Works Department

10. Authorize a professional services contract with Freese and Nichols, Inc. for the engineering design of the Traffic Control and Safety Treatments for the Trail-Road Crossing Project of the Statewide Transportation Enhancement Program - Not to exceed \$105,375 - Financing: Texas Department of Transportation Grant Funds (\$34,957); Dallas County (\$4,020); and 2006 Bond Funds (\$66,398)
11. Authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office LoanSTAR Funds in the amount of \$2,147,152 to be repaid from electric and natural gas energy savings, plus interest, beginning in FY 2014-15 for a period of ten years; **(2)** the establishment of appropriations in an amount not to exceed \$2,147,152 in the Energy Conservation Office LoanSTAR Fund; **(3)** Supplemental Agreement No. 2 to the contract with Schneider Electric Buildings Americas Inc. for construction of energy conservation related projects at various City safety facilities in the amount of \$2,147,152 (list attached); **(4)** measurement and verification of energy savings for a period not to exceed ten years, in the amount of \$570,870 to be paid from electric and natural gas savings; **(5)** the receipt and deposit of funds from Oncor Electric Delivery in the Oncor Rebate Fund; and **(6)** the City Manager to repay the State of Texas Energy Conservation Office LoanSTAR Fund loan over a ten-year period, plus interest, using savings in the City's annual electricity and natural gas budgets - Total not to exceed \$2,718,022, plus interest - Financing: State of Texas Energy Conservation Office LoanSTAR Funds (\$2,147,152) and Current Funds (\$570,870) (subject to annual appropriations)

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 11, 2013**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works Department (Continued)

12. Authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office LoanSTAR Funds in the amount of \$2,741,374 to be repaid from electric savings, plus interest, beginning in FY 2014-15 for a period of ten years; **(2)** the establishment of appropriations in an amount not to exceed \$2,741,374 in the State of Texas Energy Conservation Office LoanSTAR Fund; **(3)** the acceptance of energy efficiency rebates from Oncor in the amount of \$1,861,650; **(4)** the establishment of appropriations in an amount not to exceed \$1,861,650 in the Oncor Rebate Fund; and **(5)** Supplemental Agreement No. 2 to the contract with Baker Roofing Company dba Baker Renewable Energy for construction of Photovoltaic Solar arrays at the Dallas Convention Center, City Hall, and Jack Evans Police Headquarters in an amount not to exceed \$4,603,024 - Total amount not to exceed \$4,603,024 - Financing: State of Texas Energy Conservation Office LoanSTAR Funds (\$2,741,374) and Oncor Rebate Funds (\$1,861,650)

13. Authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office LoanSTAR Funds in the amount of \$4,706,995 to be repaid plus interest beginning in FY 2014-15 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in an amount not to exceed \$4,706,995 in the State Energy Conservation Office LoanSTAR Fund; **(3)** Supplemental Agreement No. 2 to the original contract with Pepco Energy Services for construction of energy conservation related projects at 28 City facilities in an amount not to exceed \$4,706,995 (list attached) and **(4)** for measurement and verification for a period not to exceed ten years, in a total amount not to exceed \$593,137 to be paid from electric and natural gas savings; **(5)** the acceptance, deposit, and establishment of appropriations of rebates from Oncor Electric Delivery in the Oncor Rebate Funds; and **(6)** the City Manager to repay the State Energy Conservation Office loan over a ten year period, plus interest, from State of Texas Energy Conservation Office Loan Repayment Fund using savings in the City's annual electricity and natural gas budgets - Total not to exceed \$5,300,132, plus interest - Financing: State of Texas Energy Conservation Office LoanSTAR Funds (\$4,706,995) and Current Funds (\$593,137) (subject to annual appropriations)

**ADDENDUM
CITY COUNCIL MEETING
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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

14. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Dallas Demolition Excavating Company, Inc., et al, Cause No. CC-13-02732-A, pending in County Court at Law No. 1, for acquisition from Dallas Demolition Excavating Company, Inc., et al, of approximately 67,795 square feet of land located near the intersection of Stokes Street and Hull Avenue for the South Central/Joppa Gateway Project; and **(2)** settlement of the lawsuit for an amount not to exceed the amount of the Special Commissioners award - Not to exceed \$11,000 (\$9,000 being the amount of the award, plus closing costs and title expenses not to exceed \$2,000); an increase of \$2,600 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

15. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Dolores Burdine, et al, Cause No. CC-13-02714-E, pending in County Court at Law No. 5, for acquisition from Dolores Burdine, et al, of 680 square feet of land and 351 square feet for a temporary construction easement located near the intersection of North Beckley Avenue and West Commerce Street for the Beckley Avenue Improvement Project; and **(2)** settlement of the lawsuit for an amount not to exceed the amount of the Special Commissioners award - Not to exceed \$39,960 (\$36,960 being the amount of the award, plus closing costs and title expenses not to exceed \$3,000); an increase of \$33,296 from the amount Council originally authorized for this acquisition - Financing: 1998 Bond Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

ITEMS FOR FURTHER CONSIDERATION

Sustainable Development and Construction

16. An ordinance abandoning a portion of an alley to QuikTrip Corporation, the abutting owner, containing approximately 4,000 square feet of land, located near the intersection of Zang Boulevard and 12th Street, authorizing the quitclaim, and providing for the dedication of approximately 3,348 square feet of land needed for right-of-way - Revenue: \$80,000, plus the \$20 ordinance publication fee

**ADDENDUM
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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

17. Authorize a seventh amendment to the Management Services Contract, Phase II, with Bridge Steps to increase the FY 2013-14 budget agreement to \$6,305,252 - Not to exceed \$748,434, from \$5,556,818 to \$6,305,252 - Financing: 2012-13 Emergency Solutions Grant Funds (\$370,155); and 2013-14 Emergency Solutions Grant Funds (\$378,279)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

18. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea A of Planned Development District No. 765 on the east side of Preston Road, south of Mapleshade Lane
Recommendation of Staff and CPC: Approval, subject to an attached signage plan and conditions
Z134-115(MW)

ZONING CASES - INDIVIDUAL

19. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict uses, removal of the D Liquor Control Overlay, and an ordinance granting the termination of the deed restrictions on property zoned GR General Retail and P Parking Subdistricts in Planned Development District No. 193, the Oak Lawn Special Purpose District with an H/22 Historic Overlay No. 22 on the west corner of Cedar Springs Road and Oak Lawn Avenue
Recommendation of Staff: Approval of a Planned Development Subdistrict, subject to a development/landscape plan and conditions; approval of a D-1 Liquor Control Overlay in lieu of removal of the D Liquor Control Overlay; and approval of the termination of deed restrictions
Recommendation of CPC: Approval of a Planned Development Subdistrict, subject to a development/landscape plan and conditions; approval of the removal of the D Liquor Control Overlay; and approval of the termination of deed restrictions
Z123-149(MW)

**ADDENDUM
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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL

20. A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine the proper zoning on property zoned Planned Development District No. 619 with consideration given to appropriate use regulations and development standards within Planned Development District No. 619 in an area bounded by the centerlines of Pacific Avenue, Harwood Street, Jackson Street and Griffin Street and an ordinance granting the amendment
Recommendation of Staff and CPC: Approval, subject to revised conditions
Z123-285(RB)

SPECIAL PROVISION SIGN DISTRICT DESIGNATED ZONING CASES - INDIVIDUAL

21. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict within the Farmers Market Special Provision Sign District Section 51A-7.1600, of the Dallas City Code, to increase signage and allow attached premise signs in an area generally bounded by Marilla Street, South Cesar Chavez Boulevard, East R.L. Thornton Freeway and South Harwood Street
Recommendation of Staff and CPC: Approval, subject to amended ordinance language for icon and rooftop signage
SPSD134-001(CG)

CORRECTION:

Sustainable Development and Construction

53. An ordinance abandoning portions of Colorado Boulevard, an alley, and railroad right-of-way ~~and a street easement~~ to Southern Foods Group, LLC, the abutting owner, containing a total of approximately 29,150 ~~32,279~~ square feet of land, located near the intersection of Colorado Boulevard and Lancaster Avenue, and authorizing the quitclaim - Revenue: \$43,726 ~~\$48,419~~, plus the \$20 ordinance publication fee

Public Safety Facilities and Districts
Addendum Item #11

<u>Facility</u>	<u>Council District</u>
Auto Impound Facility	6
Credit Union/Fire Prevention Facility	2
Jack Evans Police Headquarters	2
New Hampton Pump Station	6
North Central Police Substation	12
Northwest Police Substation	6
Pavaho One & Two Pump Stations	6
Police Academy & Expansion Facility	3
Quartermaster Police Facility	2
Southeast Police Substation	5
Southwest Police Substation	3

City Facilities for Energy Conservation Projects
Addendum Item #13

<u>Facility</u>	<u>Council District</u>
Oak Cliff Municipal Center	1
North Oak Cliff Library	1
Bachman Lake Branch Library	2
Central Library	2
City Hall	2
Equipment and Building Services Offices	2
Hampton-Illinois Branch Library	2
Lancaster-Kiest Branch Library	4
Pleasant Grove Branch Library	5
Arcadia Park Branch Library	6
Dallas West Library	6
Park Forest Branch Library	6
Martin Luther King Medical	7
Skyline Library	7
Streets Administration Building	7
Dallas ECO Park	8
Lochwood Library	9
Audelia Branch Library	10
Fretz Park Library	11
Renner Frankford Library	12
Timberglen Branch Library	12
Preston Royal Library	13
Courts Building	14
Dallas Museum of Art	14
Latino Cultural Center	14
Oak Lawn Library	14
Skillman-Southwestern Branch Library	14
Thanksgiving Square	14